

Appl. No. 09/730,873
Amdt. Dated January 13, 2004
Reply to Office action of October 3, 2003
Attorney Docket No. P11901-US1
EUS/J/P/04-3006

REMARKS/ARGUMENTS

Amendments

The Applicants have amended Claims 1, 5-6, and 16-18. Claims 1-18 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 112

Claims 5, 6, 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 5 and 6 have been amended to more clearly claim the subject matter. The Applicants respectfully submit that Claims 10 and 11 claim the subject matter as disclosed on page 9 of the specification. Therefore, these claims have not been amended.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-18 (though 1-16 is stated in the rejection, claims 1-18 are currently pending) are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No.6,282,702 issued to Ungar (hereinafter, Ungar). The Applicants respectfully traverse the rejection of these claims.

The present invention provides a method and apparatus to improve network operations in a network having high delay times. The system call of an application is translated into a network operation of a network layer being sent via a network with high delay times. In contrast to the prior art, there is no replacement of non-blocking calls with blocking calls. In fact, a non-blocking call in the Applicants' invention initiates a network operation. The return value of the system call is provided directly to the application so that the application does not need to wait for the logical value (true or false) for the whole round trip time (as long as it is needed to receive the logical value for the operation performed remotely). Therefore the application is tricked into thinking that a blocking operation has been executed. In the present invention the blocking calls

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remain unchanged and there is no replacement of the non-blocking calls with blocking calls.

The Ungar reference discloses a method for a faster execution of application calls at a virtual machine. An application can be loaded from the network (col. 10) but the execution of the application calls is performed locally without any interaction with the network to execute a call. In contrast to the present invention the application calls of Ungar are executed remotely. Further, Ungar teaches away from the present invention. Ungar replaces blocking calls with non-blocking calls where the Applicants' invention tricks the active application into thinking that a blocking operation has been executed. The apparent reason for utilizing substitute non-blocking calls may be found, for instance, in Java. In the case of programming languages like Java there are blocking calls, which delay a CPU from working until an operation is performed. Therefore blocking calls are used infrequently and instead, for example, a loop operation is be used. This way, the result is requested regularly and the CPU can work during the looping operation. Therefore, the Applicants respectfully assert that the Ungar reference does not teach or suggest the present invention as claimed in Claim 1 and Claim 1 is patentable over Ungar. This being the case, Claims 2-15 contain the same novel limitations as Claim 1 and are also patentable over Ungar.

As between Claim 1 and the Ungar reference, the Applicant submits that independent Claim 16 contains limitations analogous to those found in Claim 1. For the above given reasons the Applicant respectfully submits that Claim 16 is patentable over the Ungar reference. This being the case, Claims 17-18 contain the same novel limitations as Claim 16 and are also patentable over Ungar.

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CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for Claims 1-18.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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